UNITED NATIONS **A**

General Assembly

Distr.
GENERAL

A/RES/46/83
18 February 1992

Forty-sixth session
Agenda item 92

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/46/718)]

46/83. Report of the Committee on the Elimination of Racial Discrimination

The General Assembly,

Recalling its previous resolutions concerning the reports of the Committee on the Elimination of Racial Discrimination and its resolutions on the status of the International Convention on the Elimination of All Forms of Racial Discrimination, 1/ as well as its other relevant resolutions on the implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination, 2/

Reiterating the importance of the International Convention on the Elimination of All Forms of Racial Discrimination, which is one of the most widely accepted human rights instruments adopted under the auspices of the United Nations,

Aware of the importance of the contributions of the Committee to the efforts of the United Nations to combat racism and all other forms of discrimination based on race, colour, descent or national or ethnic origin,

Reiterating once again the need to intensify the struggle for the elimination of racism and racial discrimination throughout the world, especially the elimination of the system of apartheid in South Africa,

Emphasizing the obligation of all States parties to the Convention to take legislative, judicial and other measures in order to secure full implementation of the provisions of the Convention,

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1/ Resolution 2106 A (XX), annex.

2/ Resolution 38/14, annex.

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Recalling the urgent appeals made by the Secretary-General, the General Assembly, the meetings of States parties to the Convention and the Committee itself to the States parties to honour their financial obligations under the Convention,

Expressing its appreciation for the efforts of the members of the Committee to explore ways and means to overcome the Committee's current financial crisis,

Having considered the report of the Secretary-General on the financial situation of the Committee, 3/

1. Expresses its profound concern at the fact that a number of States parties to the International Convention on the Elimination of All Forms of Racial Discrimination have still not fulfilled their financial obligations;

2. Expresses once again its concern that such a situation may lead to a further delay in the discharge of the substantive obligations of the Committee under the Convention;

3. Commends the Committee for its work with regard to the implementation of the Convention and the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination;

4. Takes note with appreciation of the report of the Committee on the work of its thirty-ninth and fortieth sessions; 4/

5. Calls upon States parties to fulfil their obligations under article 9, paragraph 1, of the Convention, to submit in due time their periodic reports on measures taken to implement the Convention and to pay their outstanding contributions and, if possible, their contributions for 1992 before 1 February 1992, so as to enable the Committee to meet regularly;

6. Strongly appeals to all States parties, especially those in arrears, to fulfil their financial obligations under article 8, paragraph 6, of the Convention;

7. Invites the Secretary-General to continue to explore the possibilities for establishing a more secure basis for the future financing of all the costs of the Committee, taking into account the views and proposals of States parties, submitted in accordance with paragraph 7 of General Assembly resolution 45/88 of 14 December 1990;

8. Calls upon the States parties, as a matter of priority, to consider all possibilities for establishing a more secure basis for the future financing of all the costs of the Committee;

9. Notes that the Secretary-General has proposed in his report that the States parties at their next meeting should consider the question of the establishment of a "contingency reserve fund" 5/;

3/ A/46/447.

4/ A/46/18.

5/ A/46/447, para. 4.

10. Requests the Secretary-General to invite those States parties that are in arrears to pay the amounts in arrears, and to report thereon to the General Assembly at its forty-seventh session;

11. Decides to consider at its forty-seventh session, under the item entitled "Elimination of racism and racial discrimination", the report of the Secretary-General on the financial situation of the Committee and the report of the Committee.

74th plenary meeting
16 December 1991

UNITED NATIONS **A**

General Assembly

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A/RES/46/84
18 February 1992

Forty-sixth session
Agenda item 92

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/46/718)]

46/84. Status of the International Convention on the Suppression and Punishment of the Crime of Apartheid

The General Assembly,

Recalling its resolutions 41/103 of 4 December 1986, 42/56 of 30 November 1987, 43/97 of 8 December 1988, 44/69 of 8 December 1989 and 45/90 of 14 December 1990,

Mindful that the International Convention on the Suppression and Punishment of the Crime of Apartheid 1/ constitutes an important international treaty in the field of human rights and serves to implement the ideals of the Universal Declaration of Human Rights, 2/

Reaffirming its conviction that apartheid is a crime against humanity and constitutes a total negation of the purposes and principles of the Charter of the United Nations and a gross violation of human rights, seriously threatening international peace and security,

Condemning the abhorrent policy and system of apartheid and the repression it engenders, which continue to aggravate the situation in South Africa,

Emphasizing that the root cause of the conflict in southern Africa is apartheid and the racist regime's policy of destabilization against the front-line and other neighbouring States,

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1/ Resolution 3068 (XXVIII), annex.

2/ Resolution 217 A (III).

/...

Deeply concerned at the continued collaboration of certain States and transnational corporations with the racist regime of South Africa, particularly in the political, economic, military and other fields, as an encouragement of its odious policy of apartheid,

Convinced that universal ratification of or accession to the Convention and the immediate implementation of its provisions will contribute to the eradication of the crime of apartheid,

1. Takes note of the report of the Secretary-General on the status of the International Convention on the Suppression and Punishment of the Crime of Apartheid; 3/

2. Commends those States parties to the Convention that have submitted their reports under article VII thereof;

3. Calls upon all States whose transnational corporations continue to do business with South Africa to take appropriate steps to terminate their dealings with South Africa;

4. Requests the Commission on Human Rights to intensify, in cooperation with the Special Committee against Apartheid, its efforts to compile and update periodically the list of individuals, organizations, institutions and representatives of States deemed responsible for crimes enumerated in article II of the Convention, as well as those against whom or which legal proceedings have been undertaken;

5. Requests the Secretary-General to circulate that list among all States parties to the Convention and all Member States and to bring such facts to the attention of the public by all means of mass communication;

6. Also requests the Secretary-General to invite the States parties to the Convention, the specialized agencies and non-governmental organizations to provide the Commission on Human Rights with relevant information concerning the forms of the crime of apartheid, as described in article II of the Convention, committed by transnational corporations operating in South Africa;

7. Appeals to all States, United Nations organs, the specialized agencies and international and national non-governmental organizations to step up their activities to enhance public awareness by denouncing the crimes committed by the racist regime with a view to promoting further ratification of or accession to the Convention;

8. Underlines the importance of the universal ratification of the Convention, which would be an effective contribution to the fulfilment of the ideals of the Universal Declaration of Human Rights and other human rights instruments;

9. Appeals once again to those States that have not yet done so to ratify or to accede to the Convention without further delay;

3/ A/46/391.

10. Requests the Secretary-General to intensify his efforts, through appropriate channels, to disseminate information on the Convention and its implementation with a view to promoting further ratification of or accession to the Convention;

11. Also requests the Secretary-General to include in his next annual report under General Assembly resolution 3380 (XXX) of 10 November 1975 a special section concerning the implementation of the Convention.

74th plenary meeting
16 December 1991

UNITED NATIONS **A**

General Assembly

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A/RES/46/85
24 February 1992

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Agenda item 92

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/46/718)]

46/85. Second Decade to Combat Racism and Racial Discrimination

The General Assembly,

Reaffirming its objective set forth in the Charter of the United Nations to achieve international cooperation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Reaffirming also its firm determination and its commitment to eradicate totally and unconditionally racism in all its forms, racial discrimination and apartheid,

Recalling the Universal Declaration of Human Rights, 1/ the International Convention on the Elimination of All Forms of Racial Discrimination, 2/ the International Convention on the Suppression and Punishment of the Crime of Apartheid, 3/ and the Convention against Discrimination in Education adopted by the United Nations Educational, Scientific and Cultural Organization on 14 December 1960, 4/

1/ Resolution 217 A (III).

2/ Resolution 2106 A (XX), annex.

3/ Resolution 3068 (XXVIII), annex.

4/ United Nations Educational, Scientific and Cultural Organization, Records of the General Conference, Eleventh Session, Resolutions, p. 119.

/...

Recalling also its resolution 3057 (XXVIII) of 2 November 1973, on the first Decade for Action to Combat Racism and Racial Discrimination, and its resolution 38/14 of 22 November 1983, on the Second Decade to Combat Racism and Racial Discrimination,

Recalling further the two World Conferences to Combat Racism and Racial Discrimination, held at Geneva in 1978 and 1983,

Bearing in mind the Report of the Second World Conference to Combat Racism and Racial Discrimination, 5/

Convinced that the Second World Conference represented a positive contribution by the international community towards attaining the objectives of the Decade, through its adoption of a Declaration 6/ and an operational Programme of Action 6/ for the Second Decade to Combat Racism and Racial Discrimination,

Noting with grave concern that, despite the efforts of the international community, the principal objectives of the two Decades for Action to Combat Racism and Racial Discrimination have not been attained and that millions of human beings continue to this day to be the victims of varied forms of racism, racial discrimination and apartheid,

Recalling, in particular, its resolution 45/105 of 14 December 1990,

Emphasizing once again the necessity of attaining the objectives of the Second Decade,

Having considered the note by the Secretary-General 7/ and his report 8/ submitted within the framework of the implementation of the Programme of Action for the Second Decade,

Firmly convinced of the need to take more effective and sustained international measures for the elimination of all forms of racism and racial discrimination and the total eradication of apartheid in South Africa,

Regretting that certain activities of the Second Decade scheduled for the period 1985-1989 have not been implemented owing to a lack of financial resources,

Recognizing the importance of strengthening, where necessary, national legislation and institutions for the promotion of racial harmony,

Aware of the importance and the magnitude of the phenomenon of migrant workers, as well as the efforts undertaken by the international community to improve the protection of the human rights of migrant workers and members of their families,

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5/ United Nations publication, Sales No. E.83.XIV.4 and corrigendum.

6/ Ibid., chap. II.

7/ A/46/465.

8/ E/1991/39.

Recalling with satisfaction the adoption at its forty-fifth session of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, 9/

Reaffirming the Declaration on Apartheid and its Destructive Consequences in Southern Africa, 10/ unanimously adopted by the General Assembly at its sixteenth special session, on 14 December 1989, which offers guidelines on how to end apartheid,

1. Declares once again that all forms of racism and racial discrimination, particularly in their institutionalized form, such as apartheid, or resulting from official doctrines of racial superiority or exclusivity, are among the most serious violations of human rights in the contemporary world and must be combated by all available means;

2. Decides that the international community, in general, and the United Nations, in particular, should continue to give the highest priority to programmes for combating racism, racial discrimination and apartheid and intensify their efforts, during the latter part of the Second Decade to Combat Racism and Racial Discrimination, to provide assistance and relief to the victims of racism and all forms of racial discrimination and apartheid, especially in South Africa and in occupied territories and territories under alien domination;

3. Appeals to all Governments and to international and non-governmental organizations to increase and intensify their activities to combat racism, racial discrimination and apartheid and to provide relief and assistance to the victims of these evils;

4. Takes note of the report of the Secretary-General 8/ containing information on the activities of Governments, specialized agencies, regional intergovernmental organizations and non-governmental organizations, as well as United Nations organs, to give effect to the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination;

5. Notes and commends the efforts made to coordinate all the programmes currently under implementation by the United Nations system that relate to the objectives of the Second Decade, and encourages the Coordinator for the Second Decade to Combat Racism and Racial Discrimination to continue his efforts;

6. Welcomes the publication of the global compilation of national legislation against racism and racial discrimination 11/ and requests the Secretary-General to transmit it to Governments as soon as possible;

7. Requests the Secretary-General to continue the study on the effects of racial discrimination on the children of minorities, in particular those of migrant workers, in the field of education, training and employment, and to submit, inter alia, specific recommendations for the implementation of measures to combat the effects of that discrimination;

9/ Resolution 45/158, annex.

10/ Resolution S-16/1, annex.

11/ HR/PUB/1990/8.

8. Welcomes the progress made in preparing model legislation for the guidance of Governments in the enactment of further legislation against racial discrimination, and requests the Secretary-General to finalize the text of the model legislation and the handbook of recourse procedures for victims of racial discrimination and to publish and distribute those texts as soon as possible;

9. Renews its invitation to the United Nations Educational, Scientific and Cultural Organization to expedite the preparation of teaching materials and teaching aids to promote teaching, training and education activities on human rights and against racism and racial discrimination, with particular emphasis on activities at the primary and secondary levels of education;

10. Requests the Secretary-General to publish the study of the Special Rapporteur of the Subcommission on Prevention of Discrimination and Protection of Minorities on the results achieved and obstacles encountered during the first Decade for Action to Combat Racism and Racial Discrimination and the first half of the Second Decade, 12/ and to distribute it on as wide a scale as possible;

11. Considers that all the parts of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination should be given equal attention in order to attain the objectives of the Second Decade;

12. Regrets that part of the programme for the period 1983-1989 has not yet been implemented because of lack of adequate resources, as indicated in the report of the Secretary-General; 8/

13. Requests the Secretary-General to implement immediately those activities scheduled for the period 1985-1989 which have not yet been carried out and to proceed with the implementation of the activities for the biennium 1990-1991;

14. Affirms once again the need for the implementation of the plan of activities proposed for the period 1990-1993 contained in the annex to General Assembly resolution 42/47;

15. Requests the Secretary-General, pursuant to General Assembly resolutions 42/47, 44/52 and 45/105, to ensure that the necessary and additional resources are included in the programme budget for the biennium 1992-1993 to provide for the implementation of the activities of the Second Decade;

16. Also requests the Secretary-General to inform the General Assembly of the steps taken in regard to the provisions of paragraph 15 above;

17. Further requests the Secretary-General to continue to accord the highest priority, in executing the plan of activities, to measures for combating apartheid;

12/ A/45/525, annex.

18. Calls upon Governments to encourage further positive change in South Africa based on the guidelines set out in the Declaration on Apartheid and its Destructive Consequences in Southern Africa, 10/ in particular by maintaining effective and sustained international pressure against South Africa;

19. Requests the Secretary-General to continue to accord special attention to the situation of migrant workers and members of their families and to include regularly in his reports all information on such workers;

20. Invites all Governments, United Nations bodies, the specialized agencies and other intergovernmental organizations, as well as interested non-governmental organizations in consultative status with the Economic and Social Council, to participate fully in the activities scheduled for the period 1990-1993 which have not yet been carried out, by intensifying and broadening their efforts to bring about the speedy elimination of apartheid and all forms of racism and racial discrimination;

21. Considers that voluntary contributions to the Trust Fund for the Programme for the Decade for Action to Combat Racism and Racial Discrimination are indispensable for the implementation of the above-mentioned programmes;

22. Notes with regret that the present situation of the Trust Fund is not encouraging;

23. Strongly appeals, therefore, to all Governments, organizations and individuals in a position to do so to contribute generously to the Trust Fund, and to this end requests the Secretary-General to continue to undertake appropriate contacts and initiatives to encourage contributions;

24. Takes note of the report of the Secretary-General 8/on the activities of the Second Decade and reiterates its request to him and to the Economic and Social Council, throughout the Decade, to submit annually to the General Assembly a report containing, inter alia:

(a) An enumeration of the activities undertaken or contemplated to achieve the objectives of the Second Decade, including the activities of Governments, United Nations bodies, the specialized agencies and other international and regional organizations, as well as non-governmental organizations;

(b) A review and appraisal of those activities;

(c) Suggestions and recommendations;

25. Decides to keep the item entitled "Elimination of racism and racial discrimination" on its agenda and to consider it as a matter of the highest priority at its forty-seventh session.

74th plenary meeting
16 December 1991